

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, *
Plaintiff, *

VS. *

CRIMINAL NO. 98-231(SEC)

RUBEN MONROIG ALMODOVAR*
Defendat. *

MOTION REQUESTING SOME DISPOSITION

TO THE HONORABLE SALVADOR E. CASELLAS
JUDGE - UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

COMES NOW, Ruben Monroig Almodovar, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico and before this Honorable Court respectfully states and prays:

1. On February 21, 2002, Mr. Monroig was sentenced to two (2) concurrent sentences of 12 month each and 3 years per count of supervised released, also to be served concurrently. Further, defendant was ordered to pay restitution in the amount of \$121,000.00.

2. Mr. Monroig has finished serving his prison term and is currently under the Court's supervision..

3. Defendant has already paid \$50,000.00 of the Court ordered restitution of \$121,000.00.

4. According to the Change of Plea hearing transcript and the Sentencing hearing transcript, the U.S. Attorney's office agreed to receive a boat owned by Mr. Monroig as full payment of the outstanding balance, that is, as full payment of the \$71,000.00 still owed. COP transcript, pages 15-16, lines 16 through 3. Sentencing transcript page 13, lines 6 through 14. Sentencing hearing pages 20-21, lines 25 through 5.

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5. That Mr. Monroig has, at the Change of Plea hearing held on August 26, 1999, as well as in the Sentencing hearing, held on February 21, 2002, offered and made available said boat to the U. S. Attorney's Office to satisfy his part of the restitution ordered.

6. To date, the boat has not been received, nor has a request been made for the delivery of the same beyond a request for the registration, and is deteriorating in value through no fault of Mr. Monroig. Mr. Monroig has made all possible attempts to secure the boat and protect its value with his limited financial means.

7. That it is hereby requested that the U.S. Attorney's Office receive the boat in payment of the balance of Mr. Monroig's outstanding restitution debt, and that the same be considered canceled as paid in full.

WHEREFORE, it is respectfully requested that for the above-stated reasons and pursuant to agreement between the parties as stated in the Change of Plea hearing and the Sentencing hearing, that defendant, Ruben Monroig Almodovar be discharged from further restitution and that the U. S. Attorney's Office be ordered to seize the boat referred during the above proceedings in full payment of the same.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, March 1, 2005.

Joseph C. Laws, Jr.
Federal Public Defender

S/Victor González-Bothwell
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 1, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Assistant U.S. Attorney Sonia Torres.

In San Juan, Puerto Rico, this 1st day of March, 2005.

S/**VICTOR GONZALEZ-BOTHWELL**, Esq.
Assistant Federal Public Defender